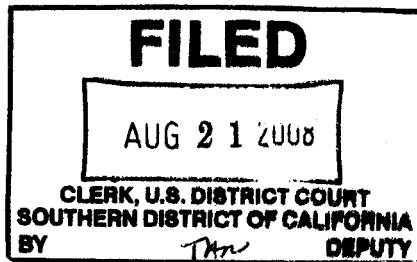


1054



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8757

UNITED STATES OF AMERICA,

Plaintiff,

v.

Armando MORGAN-Ruiz

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

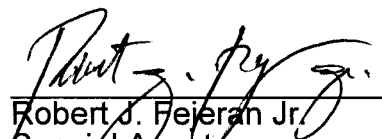
21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about August 20, 2008, within the Southern District of California, defendant Armando MORGAN-Ruiz, did knowingly and intentionally import approximately 25.00 kilograms (55 pounds) of Marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Robert J. Fejeran Jr.
Special Agent
U.S. Immigration and Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, August 21, 2008.


PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA
2 v.
3 Armando MORGAN-Ruiz

4 STATEMENT OF FACTS

5 This complaint is based on the personal observations,
6 investigation, and information furnished to U. S. Immigration and
7 Customs Enforcement Special Agent Robert J. Fejeran, Jr.

8 On August 20, 2008, at approximately 1015 hours, Canine
9 Enforcement Officer (CEO) C. Randolph was conducting pre-primary
10 roving inspections at the Calexico, CA West Port of Entry. CEO
11 Randolph was screening vehicles with his Human and Narcotic
12 Detector Dog (HNDD) when he observed his NDD alert to a Ford F-
13 150 pickup, bearing California license plates 5A19465, as it was
14 preparing to enter the U.S. from Mexico.

15 Customs and Border Protection Officer (CBPO) J. Stensgard
16 was manning primary inspection lane #3 when he was approached by
17 CEO Randolph informed of the alert, and instructed to refer the
18 vehicle to vehicle secondary for further inspection. CBPO
19 Stensgard encountered the operator identified as Armando MORGAN-
20 Ruiz. MORGAN gave a negative oral Customs declaration to CBPO
21 Stensgard. CBPO Stensgard referred MORGAN and the vehicle to the
22 vehicle secondary lot for further inspection.

23 CBPO L. Parker was assigned to vehicle secondary when MORGAN
24 and the vehicle were referred. CBPO Parker approached MORGAN and
25 the vehicle, where he again received a negative oral Customs
26 declaration from MORGAN.

27 CBPO Parker tapped on the passenger's side rear tire and it
28 was solid with no vibration. CBPO Parker cut into the tire where
29

1 he discovered numerous packages hidden inside. CBPO Parker cut
2 open the remaining three tires and discovered additional packages
3 hidden in the front passenger side tire, while both driver' side
4 tires were negative for any packages. A total of seventeen (17)
5 packages were removed from the tires, ten from the rear and seven
6 from the front. CBPO Parker probed one of the packages producing
7 a green leafy substance, which field-tested positive for the
8 presence of marijuana. The total weight of the packages was
9 approximately 25.00 kilograms (55 pounds) marijuana.
10

11 MORGAN was advised of his Miranda Rights, which he
12 acknowledged and waived. MORGAN admitted to knowledge of the
13 marijuana hidden in the vehicle, adding he was to be paid
14 \$1,000.00 to drive the vehicle to Calexico.
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